



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – OCTOBER 15, 2024

Pursuant to adjournment on October 2, 2024 a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, October 15, 2024.

Roll call present: Antoine, Coenen, Eggleston, Kilgas, Moore, and Schell.

Absent & Excused: DeCoster and Thiele.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Dir. of Planning and Com. Dev. Kittel, Fin. Dir. VanRossum (arrived at 7:30 pm) and interested citizens.

Motion by Coenen, seconded by Moore to excuse the absent members.

All Ald. Present voted aye.

Motion carried.

One minute of silent prayer and the Pledge of Allegiance to the American Flag observed by the assembly.

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of the minutes of the Common Council meeting of October 2, 2024.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt the Common Council meeting minutes of October 2, 2024.

All Ald. Present voted aye.

Motion carried.

PRESENTATION OF LETTERS, PETITIONS, REMONSTRANCES, MEMORIALS, AND ACCOUNTS

Bills Payable

Motion by Moore, seconded by Schell to pay bills out of the proper accounts.

All Ald. Present voted aye.

Motion carried.

PUBLIC APPEARANCES

None.

BUSINESS PRESENTED BY THE MAYOR

Public Hearing to consider the rezoning of parcel 322095715 from Residential Single Family (RSF) to Business District (BD).

Director of Planning and Community Development Kittel spoke regarding the parcel to be rezoned.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or via ZOOM wished to address the Council regarding the rezoning of parcel 322095715 from Residential Single Family (RSF) to Business District (BD).

Susan Natrop, N1854 State Hwy 55 Kaukauna spoke against the rezoning of this parcel. She feels that by rezoning this parcel adjacent to her property it will adversely affect the value of her property.

After asking two more times if anyone else wished to address the council, no one else appeared, Mayor Penterman declared the public hearing closed.

Fox Firecracker 5k and Kids Run - July 4, 2024 - 17th Annual.

Jessica Decet, President for the organization gave a recap of the event and informed the Council of where the proceeds were given.

Fox Heritage Run - May 4, 2024 - 1st Annual.

Jessica Decet gave a presentation on the 1st Annual Event. It was a successful event and are looking forward to bringing it back next year.

Democratic Party Election Inspector Nominations.

Mayor Penterman stated a list of three people were provided by the Democratic Party for helping to work for the November 5 election.

Motion by Moore, seconded by Kilgas to approve the three people provided by the Democratic Party to be appointed as poll workers.

All Ald. Present voted aye.

Motion Carried.

Proclamation recognizing White Cane Safety Day October 15, 2024

Mayor Penterman read the proclamation.

Motion by Antoine, seconded by Schell to receive and place on file the Proclamation recognizing White Cane Safety Day October 15, 2024.

All Ald. Present Voted aye.

Motion carried.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of October 14, 2024.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Vice-Chair Coenen on Monday, October 14, 2024 at 6:00 P.M.

Members present: Antoine (Via Zoom), Coenen, Eggleston, Kilgas, Moore, and Schell.

Absent & Excused: DeCoster and Thiele.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, Fire Chief Carrel (via Zoom), Police Chief Graff, Com. Enrich & Rec. Mgr. Vosters, Senior Staff Acct. Roehl, HR Dir. Hodge, Library Dir. Thiem-Menning, and interested citizens.

Motion by Moore, seconded by Eggleston to excuse the absent members.

All Ald. Present voted aye.
Motion carried.

1. Correspondence – none.

2. Discussion Topics.

a. 2023 Annual Clearwater Sustainability Program Report to Heart of the Valley Metropolitan Sewerage District (HOVMSD).

DPW/Eng. Neumeier submitted the 2023 Annual Clearwater Sustainability Program Report to the HOVMSD. Member communities of the HOVMSD (Kaukauna, Kimberly, Little Chute, Combined Locks, and the Darboy Sanitary District) are required to file an annual Clearwater Sustainability Program report to the HOVMSD. The intent of the annual report is to update the HOVMSD on the community's efforts toward maintaining a sustainable level of inflow and infiltration. The governing body of each HOVMSD member community must review each year's annual report. A resolution stating that the governing body has reviewed and accepted the annual report is on the Common Council agenda tomorrow night. Questions from the Board were answered.

Motion by Kilgas, seconded by Schell to receive and place on file the 2023 Annual Clearwater Sustainability Program Report to the Heart of the Valley Metropolitan Sewerage District (HOVMSD) and recommend to the Common Council the approval of Resolution 2024-5447.
All Ald. Present voted aye.
Motion carried.

b. Quiet Zone Study Update.

DPW/Eng Neumeier stated the City has been working with Short Elliot Hendrickson (SEH) on developing plans for quiet zone implementation. Draft plans were provided. These drawings will be combined with other data for a submittal for the Quiet Zone Notice of Intent (NOI) to various parties for review, including Federal Railroad Administration (FRA), Office of the Commissioner of Railroads (OCR), CN Railroad, and Wisconsin Department of Transportation (WisDOT). Discussion held and questions answered.

c. Seawall Project Update - Draft Easement.

DPW/Eng. Neumeier stated the City has been working with the State of Wisconsin to establish an easement for installation of the Wisconsin Ave Seawall. We have received a draft of a temporary easement, and it is currently being reviewed by staff, City Attorney, and our consultant. Staff will bring a resolution to a future Common Council meeting to authorize entering said agreement. A copy of the draft easement for review was distributed to the Board. Discussion held and questions answered.

d. Public Works Update.

DPW/Eng. Neumeier provided a list of projects happening. The Tower Drive lift station has had some improvements of pump repairs, backup generator installed, and concrete pad for the generator to sit on. Neumeier thanked city crews, for all their great work on the project.

VanGompel stated the first phase of the Frisbee Disc Golf Course update at Grignon Park is complete. Ten new trees were planted in and around the course. Staff is busy winterizing park facilities. Some filling and sealing work for potholes is wrapping up for the season. Crews are prepping equipment for leaf collection which will start next week. Three of the four farmers who allowed us to dump leaves from leaf collection will no longer be

taking them. The Department of Public Works is looking for alternate farmers and/or contractors who would be able to accept and reuse the City leaves at their property.

3. Adjourn.

Motion made by Moore, seconded by Kilgas to adjourn.

All Ald. Present voted aye.

Motion carried.

Meeting adjourned at 6:29 pm.

Sally Kenney

Clerk

Motion by Coenen, seconded by Kilgas to adopt the Board of Public Works Meeting Minutes of October 14, 2024 as read.

All Ald. Present voted aye.

Motion carried.

Finance and Personnel Committee Meeting Minutes of October 14, 2024.

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, October 14, 2024 at 6:31 pm.

Members present: Mayor Penterman, Coenen, Kilgas, Moore, and Schell.

Absent & Excused: DeCoster.

Also present: Ald. Antoine (via Zoom), Ald. Eggleston, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel (via Zoom), Police Chief Graff, Street Sup. Van Gompel, Com. Enrich Dir. Vosters, HR Dir. Hodge, Fin. Dir. Van Rossum, Staff Acct. Roehl, Com. Cord. Fencil (via Zoom) and interested citizens.

Motion by Coenen, seconded by Moore to excuse the absent member.

All members present voted aye.

Motion carried.

1. Correspondence.

None.

2. Discussion Topics.

a. Presentation of the preliminary 2025 Budget - Personnel details.

Finance Director/Treasurer Van Rossum presented the personnel budget items. Overall, the personnel side of the budget is going up by 4.9%. The reasons for the increases were provided. The significant changes in wages, group health insurance, residency incentive, retirement, and social security were presented. Discussion was held and questions answered.

3. Adjourn.

Motion by Kilgas, seconded Coenen to adjourn.

All members present voted aye.
Motion carried.

Meeting adjourned at 6:51 pm.

Sally Kenney, Clerk

Motion by Moore, seconded by Antoine to adopt the Finance and Personnel Committee Meeting Minutes of October 14, 2024 as read.
All Ald. Present voted aye.
Motion carried.

Health and Recreation Committee Meeting Minutes of October 14, 2024.

This meeting was not held. Quorum not present.

Plan Commission Meeting Minutes of September 5, 2024.

Motion by Moore, seconded by Coenen to receive and place on file the Plan Commission Meeting Minutes of September 5, 2024.
All Ald. voted aye.
Motion carried.

Redevelopment Authority of the City of Kaukauna Meeting Minutes of September 12, 2024.

Motion by Moore, seconded by Schell to amend the Redevelopment Authority of the City of Kaukauna Meeting Minutes of September 12, 2024. With the following change – Heather Hayes listed as both present and absent. Hayes should just be listed as absent.
All Ald. Present voted aye.
Motion carried.

Motion by Moore, seconded by Coenen to receive and place on file the amended Redevelopment Authority of the City of Kaukauna Meeting Minutes of September 12, 2024.
All Ald. Present voted aye.
Motion carried.

Industrial Park Commission Meeting Minutes of July 25, 2024.

Motion by Moore, seconded by Eggleston to receive and place on file the Industrial Park Commission Meeting Minutes of July 25, 2024.
All Ald. Present voted aye.
Motion carried.

Grignon Mansion Board Minutes of August 26, 2024.

Motion by Moore, seconded by Antoine to receive and place on file the Grignon Mansion Board Minutes of August 26, 2024.
All Ald. Present voted aye.
Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of September 10, 2024.

Motion by Moore, seconded by Schell to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of September 10, 2024.
All Ald. Present voted aye.
Motion carried.

Operator (Bartender) Licenses.

The following applicants have applied for an operator's license for the license year 2024-2026 and have been recommended for approval based on their record check by the police department:

| | | | | |
|----------|-----------|------|----------------------------|--------------|
| Allgeyer | Robert | A.P. | 1113 Madison St. | Little Chute |
| Belongea | Amanda | M. | 710 E. Hyland Ave. | Kaukauna |
| Campbell | Kristen | L. | 403 Hendricks Ave. | Kaukauna |
| Lang | Katherine | S. | 919 W. Commercial St. | Appleton |
| Larson | Robert | G. | 1001 Main Ave. | Kaukauna |
| Schmidt | Andrew | J. | 1800 Penny Ln. | Little Chute |
| Schuh | Mandy | L. | 424 W. 6 th St. | Kaukauna |

Motion by Schell, seconded by Kilgas to approve the operator/bartender licenses.
 All Ald. Present Voted aye.
 Motion carried.

REPORTS OF CITY OFFICERS

Fire Report

Motion by Moore, seconded by Eggleston to receive and place on file the September 2024 Fire Report.

All Ald. Present voted aye.

Motion carried.

Ambulance Report

Motion by Moore, seconded by Antoine to receive and place on file the September 2024 Ambulance Report.

All Ald. Present voted aye.

Motion carried.

Police Report

Motion by Moore, seconded by Coenen to receive and place on file the September 2024 Police Report.

All Ald. Present voted aye.

Motion carried.

Code Enforcement Report

Motion by Moore, seconded by Kilgas to receive and place on file the September 2024 Code Enforcement Report.

All Ald. Present voted aye.

Motion carried.

Municipal Court Report

Motion by Moore, seconded by Schell to receive and place on file the September 2024 Municipal Court Report.

All Ald. Present voted aye.

Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Eggleston to receive and place on file the September 2024 Clerk-Treasurer's Deposit Report.

All Ald. Present voted aye.

Motion carried.

Building Inspection Report.

Motion by Moore, seconded by Schell to receive and place on file the September 2024 Building Inspection Report.

All Ald. Present voted aye.

Motion carried.

Special Exception Request – 500 Hendricks Ave.

Golden Care Services is looking to purchase 500 Hendricks Ave and has applied for a Special Exception for parcel 323051500 to use the property for office space. The parcel is zoned Residential Two Family (RTF), and the current use of the property is as office space. The Plan Commission after the hearing recommended approval of the Special Exception submitted for office space at 500 Hendricks with the following conditions: No offsite parking is to be used for the day-to-day operations of the business; All ordinances are to be followed; Yearly inspection done by Community Development Department or other designee to ensure compliance. If the ownership or proposed use changes, the applicant/property owner needs to go through the process again.

Motion by Moore, seconded by Antoine to approve of the Special Exception submitted for office space at 500 Hendricks with the following conditions: No offsite parking is to be used for the day-to-day operations of the business; All ordinances are to be followed; Yearly inspection done by Community Development Department or other designee to ensure compliance. If the ownership or proposed use changes, the applicant/property owner needs to go through the process again.

All Ald. Present voted aye.

Motion carried.

Pigeon Request.

Following up from the last discussion the Common Council had on Pigeon Keeping, additional information has been collected to help the Council facilitate a direction that they would like to pursue on this topic. No matter how the Council would like to proceed, an update to the existing ordinance will be needed. To ensure that staff can produce updates to all the required areas in the ordinance, a direction is needed from the Council on if Pigeon keeping is to be allowed in the City and if so, is it to be permitted or allowed outright. To help facilitate the discussion Staff has put together three options to review with some outside sources and some pros and cons of each option.

It should be noted that there have been some concerns brought forth from neighbors of an existing loft. These concerns have been regarding droppings on their property as well as birds pecking at windows and gathering on their roofs. If only Racing pigeons are being kept there should be only a few times a day when they are out of the lofts and in the area. Typically, they are released for a period for exercise/training and then back in the loft. These birds are to be banded to identify the birds and owner for racing. Other pigeons are not marked in this way and have different habits from a racing or homing pigeon and may be the main source of these concerns. There are items that could be applied to attempt to limit droppings in the area such as requiring a two+ hour restriction on flying after eating to reduce the probability of the bird droppings outside the loft area. This may be difficult to enforce. Discussion held and questions answered. Direction was given to move forward with this item.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2024-5444 Resolution Approving CSM To Combine Two Lots Into one for Parcel 322021600 & 322021800.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5444.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2024-5444.
All Ald. Present voted aye.
Motion carried.

Resolution 2024-5445 Resolution Approving an Extraterritorial CSM to Create Two Lots from Parcels 030019000, 030019201,030019600.

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2024-5445.
All Ald. Present voted aye.
Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2024-5445.
All Ald. Present voted aye.
Motion carried.

Resolution 2024-5446 Resolution to Approve a Preliminary Plat for Parcel 325023905, 030019600 and Part of 030019000.

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2024-5446.
All Ald. Present voted aye.
Motion carried.

Motion by Moore, seconded by Schell to adopt Resolution 2024-5446.
All Ald. Present voted aye.
Motion carried.

Resolution 2024-5447 Resolution Accepting the City of Kaukauna 2023 Annual Clearwater Sustainability Program Report to the Heart of the Valley Metropolitan Sewerage District (HOVMSD).

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5447.
All Ald. Present voted aye.
Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2024-5447.
All Ald. Present voted aye.
Motion carried.

Ordinance 1913-2024 Ordinance Rezoning Parcel 322095715 From Residential Single Family (RSF) to Business District (BD).

Discussion was held and questions answered.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Ordinance 1913-2024.
All Ald. Present voted aye.
Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1913-2024.

Motion carried.

CLOSED SESSION

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session - Development Agreement Out Lot 3 New Prosperity Center 2023-PL-11.

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 8:32 pm.

Return to Open Session

Motion by Coenen seconded by Antoine to return to open session.

All Ald. Present voted aye.

Motion carried.

Returned to open session at 8:44 p.m.

Motion by Schell, seconded by Moore to approve the Developer's Agreement as presented.

All Ald. Present voted aye.

Motion carried.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 8:45 pm.

Return to Open Session

Motion by Moore, seconded by Coenen to return to open session.

All Ald. Present voted aye.

Motion carried.

Returned to open session at 9:17 p.m.

ADJOURN

Motion by Antoine, seconded by Kilgas to adjourn.

All Ald. Present voted aye.

Motion carried.

Meeting adjourned at 9:18 p.m.

Sally Kenney, Clerk

